



PATENT
450100-4842

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Yosuke Suzuki et al.
Serial No. : 09/286,480
Filed : April 5, 1999
For : APPARATUS AND METHOD FOR REPRODUCING CHARACTER
INFORMATION RECORDED ON A RECORDING MEDIUM
Examiner : Thomas J. Joseph
Art Unit : 2174

Mail Stop Non-Fee Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

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Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional fee
Total claims	13	Minus	= 20	0 ×	\$18(9)	= \$.00
Independent claims	3	Minus	= 3	0 ×	\$84(42)	= \$.00
				Total additional fee for this amendment		\$.00

- * If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
** If the highest number of total claims previously paid for is less than 20, write "20" in this space.
*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$280 (\$140) has been previously paid __, or is paid herewith __.
- ☐ This response is being filed within the __ first month, __ second month, __ third month, __ fourth month following the expiration of the term originally set therefor, and the fee of __ \$110 (\$55), __ \$410 (\$205), __ \$930 (\$465), __ \$1,450 (\$725) for the requisite extension __ paid herewith.
- ☐ A check in the amount of \$.00 is attached.
- ☐ Charge \$__ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on September 3, 2003
William S. Frommer, Reg. No. 25,506

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

Name of Applicant, Assignee or Registered Representative

Signature
September 3, 2003

By: William S. Frommer
Reg. No. 25,506
Tel. (212) 588-0800

Date of Signature



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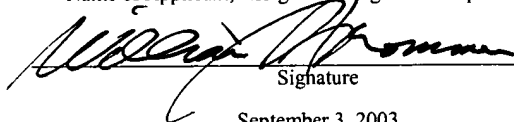
Technology Center 2100

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on August 25, 2003

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or Registered Representative



Signature

September 3, 2003

Date of Signature

RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated July 3, 2003. In light of the following remarks, reconsideration and allowance of this application are respectfully solicited.

Claims 1-13 are in this application.

In paragraph 2 of the present Office Action, claims 1-13 are rejected “under 35 U.S.C. 102(b) as being anticipated” by *Using Netscape 2* and Klemets (US 6,449,653). In this connection, Applicants recognize a rejection based upon § 102 means that the Examiner is relying on only one reference; and we interpret the Examiner's rejection as being based on § 103. In paragraph 3 of the Office Action, claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Using Netscape 2* and Klemets.

Independent claim 10 is representative and recites in pertinent part:

“...audio data, character information, and one of (i) a Uniform Resource Locator (URL) and (ii) an electronic mail address (e-mail) recorded on said rotatable recording medium, said character information being associated with said audio data; [and]

searching said...character information for a string of characters representing address information pertaining to one of (i) the URL used to obtain further information about said audio data and (ii) the electronic mail address (e-mail)...”

(Independent claims 1 and 6 recite similar limitations).

To repeat the argument presented in Applicants' response filed March 10, 2003, the *Using Netscape 2* reference (“Netscape”) mentions at the third full paragraph of page 438 that Netscape includes an audio player application called TSPlay32. A user can run this player all by itself and choose to load and play an audio file from a disk; or, the user can tell the player to load a URL and it will connect to the Web and play a file directly from the URL site where the file is stored without the aid of the browser. However, the reference fails to disclose, for example, searching a disk for a URL or email address recorded thereon and used to obtain from the URL or email address further information about audio data recorded on the disk. Netscape fails to disclose, in particular,

“audio data, character information, and one of (i) a Uniform Resource Locator (URL) and (ii) an electronic mail address (e-

mail) recorded on said rotatable recording medium, said character information being associated with said audio data; [and] searching said...character information for a string of characters representing address information pertaining to one of (i) the URL used to obtain further information about said audio data and (ii) the electronic mail address (e-mail)..." (See Figures 16-18 and pages 25-30 of the substitute specification of the present application).

The Examiner states, at page 4 of the Office Action, that "Klemets teaches reproducing information on a rotatable recording medium accessible by [a] browser (col. 5, lines 4-15)." Klemets relates to a system for producing an interleaved multimedia stream over the internet. The applied portion of Klemets discloses a so-called "producer" implemented in an environment which includes a web browser. In this connection, Applicants respectfully submit that since Klemets teaches a browser and Netscape operates without one, the Examiner has incorrectly combined these references since they teach away from each other. It is further noted that although Klemets' producer includes a capture module for capturing a video/audio stream from a stored file, the reference fails to disclose, for example, searching a disk for a URL or email address recorded thereon and used to obtain from the URL or email address further information about audio data recorded on the disk. That is, Klemets nowhere discloses that a URL or e-mail on a disk is used to access, for example, a web site at which information about the audio data, such as information about the recorded performance or performer, is located. Klemets fails to disclose, in particular,

"audio data, character information, and one of (i) a Uniform Resource Locator (URL) and (ii) an electronic mail address (e-mail) recorded on said rotatable recording medium, said character information being associated with said audio data; [and] searching said...character information for a string of characters representing address information pertaining to one of (i) the URL used to obtain further information about said audio data and (ii) the electronic mail address (e-mail)..."

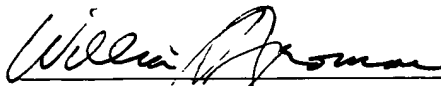
Since neither Netscape nor Klemets as applied discloses the above-quoted limitation, Applicants submit that independent claims 1, 6 and 10 are distinguishable from Netscape and Klemets, taken either alone or in combination. Claims 2-5, 7-9 and 11-13 depend from one of claims 1, 6 and 10 and are therefore also distinguishable from Netscape and Klemets, taken either alone or in combination, for at least the reasons previously described.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the bases for a contrary view.

It is respectfully submitted that the instant application is in condition for allowance; and an early notice to this effect is respectfully solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
William S. Frommer
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